

VIETNAM AFFAIRS STAFF

Approved For Release 2001/08/30 : CIA-RDP72-00337R000100080011-8

OLC 70-0113

DATE 12Feb70

The Director

STATINTL

TO:

FROM:

SUBJECT:

REMARKS:

The 12 February Sullivan Committee was exclusively devoted to briefing the witnesses scheduled to appear at next week's Fulbright hearings. Neither [redacted] nor Vann was present; both are scheduled to arrive tonight. Sullivan passed out the attached set of guidelines and his briefing consisted largely of oral explanation or expansion on the points covered therein.

25X1A

STATINTL

[redacted]
Special Assistant for Vietnamese Affairs

Attachment

cc: Mr. Maury w/att ✓
Mr. Karamessines w/att
Mr. [redacted]
Mr. [redacted]
Mr. [redacted]

STATINTL

State Dept. declassification & release instructions on file

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Information Sheet for Fulbright Hearings

Attached are the following documents for your use in conjunction with the Fulbright hearings:

1. Schedule.
2. Location of Witnesses and Department Offices.
3. Suggested language for use in referring questions to executive session, declining to give "personal opinions," etc.
4. Letter to Committee outlining understandings under which hearings are being held.

STATINTL

[REDACTED]

2/11/70

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Att. 1

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SCHEDULE

Thursday, February 12, 1970

1100 Conference with Mr. Sullivan in Room 6210.

Friday, February 13, 1970

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cob [REDACTED] opening statement to be in
final form.

Monday, February 16, 1970

25X1A

ob [REDACTED] statement delivered to Committee.
1200 Witness statements for February 18 session to be
in final form.
cob Witness statements for February 19 session to be
in final form

Tuesday, February 17, 1970

25X1A

ob 200 copies of [REDACTED] statement delivered
to Committee. February 18 witness statements
delivered to Committee.
0930 Party departs from "C" Street entrance.
1000 Hearings begin in open session in Room 4229 of
New Senate Office Building. Broad overview of
CORDS program - [REDACTED] 25X1A
1245 Hearings recess.
pm Afternoon session may be held.
cob Statements for February 20 session to be in final
form.

Wednesday, February 18, 1970

ob 200 copies of witness opening statements for
February 18 delivered to Committee. February 19
witness statements delivered to Committee.
0930 Party departs from "C" Street entrance.

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Wednesday, February 18, 1970 (cont.)

1000 Hearings in open session in Room 4229 of New Senate Office Building. CORDS advisory effort - Messrs. Vann and Mills and Major Arthur.
1245 Hearings recess.
pm Afternoon session may be held.

Thursday, February 19, 1970

ob 200 copies of witness opening statement for February 19 session delivered to Committee.
Classified witness statements delivered to Committee.
0930 Party departs from "C" Street entrance.
1000 Open hearings in Room 4229 of New Senate Office Building. Refugees and [REDACTED] - Ambassador [REDACTED] 25X1C
1245 Hearings recess.
pm Afternoon session may be held. 25X1A

Friday, February 20, 1970

25X1A
0930 Party departs from "C" street entrance.
1000 Hearings in executive session in Room 4229 of New Senate Office Building. Phoenix, RF/PF advisory effort and CAP program - Ambassador [REDACTED] Capt. Murphy, Capt. Geck, Sgt. Wallace.
Also items which earlier witnesses have referred to executive session.
1245 Hearings recess.
pm Afternoon session may be held, if necessary, to conclude CORDS portion of hearings.

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Location of Witnesses
and Department Offices

Room 6317

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Amber [REDACTED]	X-23426
Mr. McManaway	X-23427
Miss Kapsanis	X-23426

Room 2138

Mr. Hitchcock	X-29566
Mr. Vann	X-29567/8
Mr. Mills	X-29567/8

Room 6209

Mr. Sullivan	X-20272
Miss Stephens	X-20272
Mr. Kirk	X-22691
Miss Buckley	X-22691

Room 6207

Mr. Meyers	X-20264
Mr. Lawson	X-22207

Room 6210

Sixth floor conference room which will be available
to witnesses most of the time on request.

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February 11, 1970

Guidelines for Witnesses at the SFRC Hearings on U.S. Assistance
and Advisory Operations in Viet NamI. Reference to Executive Session

A. Witnesses should be able to respond in public session, at least in a general way, to almost all questions that may be posed. However, it will be necessary to defer detailed discussion of certain subjects to executive session. Sen. Fulbright has announced that "by agreement with the State Department testimony concerning some aspects of the Phoenix program and CORDS military advisory program will be heard in executive session and released to the public after deletion of sensitive material". It is understood that witnesses may identify questions on other matters which they consider as being of such a nature that they should be discussed only in executive session. In declining to provide sensitive information in public session the witness should state:

"I understand that an executive session has been scheduled for later this week. I would prefer to defer further discussion of this matter until that time."

B. If pressed as to what is so sensitive that it cannot be dealt with in public session, the witness should respond:

"It is difficult to explain why a subject is sensitive without going into the substance. However, I had understood that it was recognized that sensitive matters might arise in these hearings and that is why an executive session has been scheduled."

FEB 11 1970

Dear Mr. Chairman:

In Secretary Rogers' absence, I am replying to your letter of January 5, in which you informed him of your Committee's plans to hold a number of hearings concerning present United States advisory and assistance roles in Viet-Nam. It is my understanding that you and members of the Committee staff have subsequently discussed details of these plans with representatives of the Executive Branch.

As a result of these discussions, we understand that the present plans are to hold hearings during the weeks of February 16, March 2 and March 16 with initial hearings devoted to the CORDS program, and subsequent ones to the military advisory effort, the economic assistance program, and finally, the informational assistance program.

As far as the CORDS hearings are concerned, it is my understanding that there will be public sessions on February 17, 18 and 19. These will be followed by executive sessions on February 20. Although [redacted]

25X1A

[redacted] will discuss the general outline of the Phoenix program and the Regional Force/Popular Force military advisory system as well as the Marine Combined Action Program in his public testimony, detailed discussions of these programs will be reserved for the executive sessions.

As was

The Honorable
J. W. Fulbright, Chairman,
Committee on Foreign Relations,
United States Senate.

- 2 -

As was indicated during your discussions, witnesses in the public hearings will identify those questions which they consider as being of such a nature that they should be discussed only in executive session. We much appreciate your indication that an effort will be made to reduce to a minimum questions in the public sessions of such a character that they require the witness to request deferral to an executive session. I believe that arrangements to this effect will best assure continuity in testimony and the constructive relationship which both you and Secretary Rogers seek between the Executive and Legislative Branches.

Discussions are continuing between members of your staff and representatives of the Executive Branch concerning the manner in which the hearings into the MACV military advisory effort will be pursued. I will communicate with you further on this subject and also on the hearings into the USAID and USIA assistance programs once these discussions are concluded.

I am pleased that these arrangements have been worked out between the Committee and the Department. This will confirm that Executive Branch witnesses are available to appear in accordance with the above schedule and understandings. These matters have been coordinated with the Department of Defense.

Sincerely,

H. G. Torbert, Jr.
Acting Assistant Secretary
For Congressional Relations

cc: The Secretary of Defense

bcc: Messrs. French and Knaur,

25X1A

WAS (CLP)

JK (CLP)

oP

DOD

Ap

2/10/70

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"I am here as a public official and do not believe it would be appropriate to engage in personal speculations."

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2

II. Response to Questions Concerning Highly Sensitive Matters

Should a witness be asked questions concerning a matter which he believes may be so sensitive that it ought not be provided to the Committee without a specific decision by a higher authority, he should respond:

"I am not sure (I do not believe) that I am authorized to discuss that matter. If you wish to pursue it I shall be happy to refer the question to the head of my Department."

If he is asked whether he is invoking executive privilege, he should respond:

"No sir. Under the President's directive of March 1969 a decision to invoke executive privilege requires a specific Presidential determination. I am merely informing you that under my Department's regulations no officer may disclose classified information, even to a Congressional Committee, without being authorized to do so. I have not been specifically authorized with respect to this particular item and wish to check with my superiors."

If he is warned that he has been sworn to tell the "whole truth", he should respond:

"I am advised that the oath does not diminish my responsibility to follow procedures that will permit an authoritative decision on the manner and extent to which classified information will be disclosed. The procedure I am following is intended merely to permit such a decision to be made."

III. Response to Request for Personal Opinion

Should a witness be asked for his personal opinion on a subject, as distinguished from an institutional opinion, he should respond as follows: